

2134

PTO/SB/21 (09-04) (AW 10/2004)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 5 + 2 References  
+ 1 Chinese Office Action

Application Number	10/020,427
Filing Date	December 7, 2001
First Named Inventor	Mitsuaki Oshima, et al.
Art Unit	2134
Examiner Name	Paul E. Callahan
Attorney Docket No.	MTS-520US3

**ENCLOSURES (Check all that apply)**

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/Declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/  
Incomplete Application
  - ☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a  
Provisional Application
- ☐ Power of Attorney, Revocation,  
Change of Correspondence  
Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_
  - ☐ Landscape Table on CD

- ☐ After Allowance Communication  
to TC
- ☐ Appeal Communication to Board  
of Appeals and Interferences
- ☐ Appeal Communication to TC  
(Appeal Notice, Brief, Reply  
Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please  
identify below):

PTO Form 1449  
2 References  
1 Chinese Office Action  
Return Postcard**Remarks:****SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm Name	RatnerPrestia		
Signature			
Printed Name	Jack J. Jankovitz		
Date	January 3, 2005	Registration No.	42,690

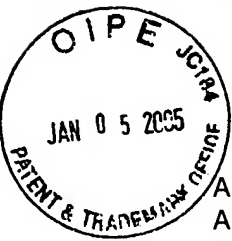
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Signature			
Typed or Printed Name	Jack J. Jankovitz	Date	January 3, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 10/020,427  
Applicant: Mitsuaki OSHIMA, et al.  
Filed: December 7, 2001  
Title: MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK  
ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK  
AND METHOD OF PRODUCING OPTICAL DISK  
TC/A.U.: 2134  
Examiner: Paul E. Callahan  
Confirmation: 9007  
Docket No. MTS-520US3

**SUPPLEMENTAL**  
**INFORMATION DISCLOSURE STATEMENT**

***Mail Stop Amendment***

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith. A copy of the references listed on the 1449 form is enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following reference is not in the English language:

1) CN 1059222A

Reference 1) was cited by a foreign patent examining authority in connection with the examination of a counterpart of the above identified application. A copy of this Chinese Official Action, with English language translation, indicating the

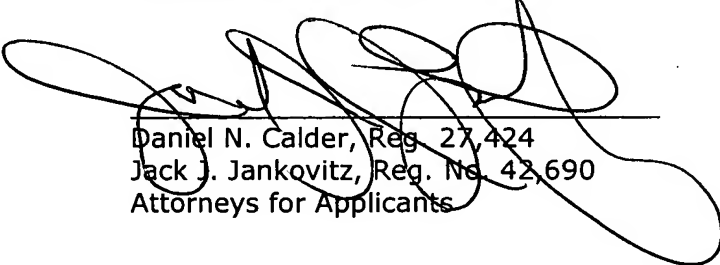
degree of relevance determined by the foreign patent office, are submitted herewith. MPEP 609 IIIA(3), second paragraph.

More than three months have elapsed since the filing of the above-referenced application and a first (non-Final) Official Action has been received. No Final Action or Notice of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, as more specifically indicated below, a statement as required by 37 C.F.R. § 1.97(c) is provided herewith.

STATEMENT UNDER 37 C.F.R. § 1.97(e)

The undersigned hereby states that each item of information disclosed in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



Daniel N. Calder, Reg. No. 27,424  
Jack J. Jankovitz, Reg. No. 42,690  
Attorneys for Applicants

JJJ/ds

Enclosures: PTO Form 1449 (2 sheets)  
Chinese Official Action for CN 1059222A  
(#2) References  
Transmittal Form

Dated: January 3, 2005

P.O. Box 980  
Valley Forge, PA 19482-0980  
(610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

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January 3, 2005



*(Use as many sheets as necessary)*

JAN 05 2005

**SHEET 1 of 2**

**Complete if Known**

Application Number	10/020,427
Filing Date	December 7, 2001
First Named Inventor	Mitsuaki Oshima, et al.
Art Unit	2134
Examiner Name	Paul E. Callahan
Attorney Docket No.	MTS-520US3

[illegible][illegible]

Examiner Signature		Date Considered	
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Substitute for Form 1449B/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 2 of 2

**Complete if Known**

Application Number	10/020,427
Filing Date	December 7, 2001
First Named Inventor	Mitsuaki Oshima, et al.
Art Unit	2134
Examiner Name	Paul E. Callahan
Attorney Docket No.	MTS-520US3

**NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		Chinese Official Action for CN 1059222A, date issued November 26, 2004 with English translation	<input checked="" type="checkbox"/>
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Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

<sup>1</sup>Applicant's unique citation designation number (optional).

<sup>2</sup>Applicant is to place a check mark here if English language translation is attached.

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**SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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